

**ENTERED**

September 29, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

NELDA NUNCIO,

Plaintiff,

VS.

WEBB COUNTY *et al.*,

Defendants.

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CIVIL ACTION NO. 5:20-CV-92

**ORDER**

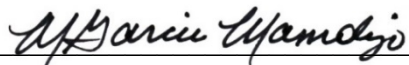
On September 28, 2021, the Court granted Defendants' motion to dismiss in part and denied it in part (Dkt. No. 36). In so doing, the Court denied the individual Jailer Defendants qualified immunity at this early stage of litigation (*id.*). Plaintiff is therefore entitled to discovery "narrowly tailored to uncover only those facts needed to rule on the immunity claim." *Backe v. LeBlanc*, 691 F.3d 645, 648 (5th Cir. 2012) (quoting *Lion Boulos v. Wilson*, 834 F.2d 504, 507–08 (5th Cir. 1987)).

The Court therefore **ORDERS** the parties to confer and jointly file a proposed scheduling order for the Magistrate Judge's review and approval. The joint proposed scheduling order shall set forth deadlines regarding discovery limited to qualified immunity and deadlines by which motions for summary judgment, responses, and replies must be filed. If the parties determine depositions are necessary, such depositions shall be noticed and conducted on the least-intrusive basis possible. *See Webb v. Livingston*, No. 6:13-cv-711, 2014 WL 1049983, at \*10 (E.D. Tex. Mar. 17,

2014). The parties shall file the joint proposed scheduling order no later than **October 13, 2021**.

It is so **ORDERED**.

**SIGNED** September 29, 2021

  
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Marina Garcia Marmolejo  
United States District Judge